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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Adam Ramos,

10 Petitioner,

11 v.

12 David Shinn, et al.,

13 Respondents.
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No. CV-23-00621-PHX-GMS

ORDER

15 Pending before the Court is the Report and Recommendation (“R&R”) of
16 Magistrate Judge Eileen S. Willett (Doc. 20) regarding petitioner’s Amended Petition for
17 Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 (Doc. 5). The R&R recommends
18 that the Petition be dismissed with prejudice. The Magistrate Judge advised the parties that
19 they had fourteen days to file objections to the R&R. (R&R at 11 (citing Fed. R. Civ. P.
20 6, 72; *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) *Robbins v. Carey*,
21 481 F.3d 1143, 1146-47 (9th Cir. 2007)). No objections were filed.

22 Because the parties did not file objections, the Court need not review any of the
23 Magistrate Judge’s determinations on dispositive matters. See 28 U.S.C. § 636(b)(1); Fed.
24 R. Civ. P. 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003);
25 *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any
26 review at all . . . of any issue that is not the subject of an objection.”). The absence of a
27 timely objection also means that error may not be assigned on appeal to any defect in the
28 rulings of the Magistrate Judge on any non-dispositive matters. Fed. R. Civ. P. 72(a) (“A

1 party may serve and file objections to the order within 14 days after being served with a
2 copy [of the magistrate's order]. A party may not assign as error a defect in the order not
3 timely objected to."); *Simpson v. Lear Astronics Corp.*, 77 F.3d 1170, 1174 (9th Cir. 1996);
4 *Phillips v. GMC*, 289 F.3d 1117, 1120-21 (9th Cir. 2002).

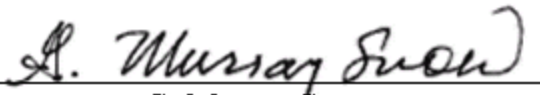
5 The Court will accept the R&R and dismiss the Amended Petition. *See* 28 U.S.C.
6 § 636(b)(1) (stating that the district court "may accept, reject, or modify, in whole or in
7 part, the findings or recommendations made by the magistrate").

8 **IT IS ORDERED** that Report and Recommendation of the Magistrate Judge (Doc.
9 20) is accepted.

10 **IT IS FURTHER ORDERED** that the Clerk of the Court enter judgment denying
11 and dismissing petitioner's Amended Petition for Writ of Habeas Corpus filed pursuant to
12 28 U.S.C. § 2254 (Doc. 5) with prejudice. The Clerk shall terminate this action.

13 The Certificate of Appealability is denied because dismissal of the Amended
14 Petition is justified by a plain procedural bar.

15 Dated this 1st day of July, 2024.

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18 G. Murray Snow
19 Chief United States District Judge
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